

111TH CONGRESS  
1ST SESSION

# H. R. 299

To provide American consumers information about the broadcast television transition from an analog to a digital format, and to provide additional funds for the converter box coupon program under the Digital Television Transition and Public Safety Act of 2005.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2009

Mr. ENGEL introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To provide American consumers information about the broadcast television transition from an analog to a digital format, and to provide additional funds for the converter box coupon program under the Digital Television Transition and Public Safety Act of 2005.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Digital Tele-  
5       vision Consumer Education Act”.

1 **SEC. 2. LABELING AND CONSUMER EDUCATION.**

2 Section 330 of the Communications Act of 1934 (47  
3 U.S.C. 330) is amended—

4 (1) by redesignating subsection (d) as sub-  
5 section (e); and

6 (2) by inserting after subsection (c) the fol-  
7 lowing new subsection:

8 “(d) LABELING AND CONSUMER EDUCATION.—

9 “(1) REQUIREMENTS FOR RETAIL DISTRIBUTU-  
10 TORS AND OTHER VENDORS.—

11 “(A) RETAIL DISTRIBUTORS.—Any retail  
12 distributor of any television receiving equipment  
13 described in section 303(s) that does not in-  
14 clude a digital tuner shall—

15 “(i) effective 30 days after the date of  
16 enactment of the National Digital Tele-  
17 vision Consumer Education Act, place ad-  
18 jacent to each unit of such equipment that  
19 such distributor displays for sale or rent a  
20 consumer alert as provided by the manu-  
21 facturer pursuant to paragraph (2), except  
22 that such distributor shall not be required  
23 to affix such label to the television screen  
24 on such equipment, as long as the label  
25 is—

1 “(I) in the close vicinity of, and  
2 associated with, the unit on display;  
3 and

4 “(II) clearly visible to consumers;  
5 and

6 “(ii) effective 30 days after the enact-  
7 ment of the National Digital Television  
8 Consumer Education Act, provide informa-  
9 tion to consumers, on signs and in pam-  
10 phlet form, in the display area for product  
11 categories that include any television re-  
12 ceiving equipment described in section  
13 303(s) that does not include a digital tuner  
14 television, sufficient to convey the informa-  
15 tion carried in the consumer advisory label.  
16 Such signs and pamphlets shall also in-  
17 clude information on recycling old tele-  
18 visions, computer monitors, computer cen-  
19 tral processing units, fax machines, and  
20 scanners and other consumer electronics.

21 “(B) OTHER VENDORS.—Effective 30 days  
22 after the date of enactment of the National  
23 Digital Television Consumer Education Act,  
24 any seller via direct mail, catalog, or electronic  
25 means, such as the Internet, of any television

1 receiving equipment described in section 303(s)  
2 that does not include a digital tuner, shall in-  
3 clude in clear and conspicuous print the con-  
4 sumer alert required by paragraph (2) at the  
5 point of display for the apparatus, or, if there  
6 is no display, at the point of sale. Such infor-  
7 mation shall also include information on recy-  
8 cling old televisions and other consumer elec-  
9 tronics.

10 “(2) CONSUMER ALERT.—The consumer alert  
11 required by this paragraph shall display in clear and  
12 conspicuous print, the following consumer alert:

13 “Consumer Alert

14 “This TV has only an analog broadcast  
15 tuner and will require a converter box after  
16 February 17, 2009, to receive over-the-air  
17 broadcasts with an antenna because of the Na-  
18 tion’s transition to digital broadcasting. The TV  
19 should continue to work as before with cable  
20 and satellite TV services, gaming consoles,  
21 VCRs, DVD players, and similar products. For  
22 more information, call the Federal Communica-  
23 tions Commission at 1–888–225–5322 (TTY:  
24 1–888–835–5322) or visit the Commission’s  
25 digital television website at: [www.dtv.gov](http://www.dtv.gov).

1 “Nuncio Consumidor

2 “Esta TV tiene sólo un sintonizador de  
3 emisión análogo y por lo tanto requerirá una  
4 caja de conversión después del 17 de febrero de  
5 2009 para recibir emisiones de TV terrestre con  
6 una antena, debido a la transición nacional a la  
7 emisión de TV digital. Esta continuará  
8 funcionando igualmente con TV por cable,  
9 sistema de TV satélite, consolas de juegos,  
10 videograbadoras, reproductores de DVD y  
11 productos similares. Si requiere más  
12 información llame a la Comisión Federal de  
13 Comunicaciones al 1-888-225-5322 (TTY: 1-  
14 888-835-5322) o visite el sitio web de la  
15 Comisión en [www.dtv.gov](http://www.dtv.gov).

16 “(3) OTHER DEVICES.—For devices other than  
17 television sets that are included in section 303(s)  
18 and that contain an analog tuner, but not a digital  
19 tuner, the Commission shall require the clear and  
20 conspicuous placement of a comparable consumer  
21 advisory label on such devices, as well as on the out-  
22 side of the retail packaging of such devices.

23 “(4) ADDITIONAL DISCLOSURES.—

1           “(A) ANNOUNCEMENTS AND NOTICES RE-  
2           QUIRED.—From the date of enactment of this  
3           Act through March 31, 2009—

4                   “(i) each television broadcaster shall  
5                   air, at a minimum, 120 seconds per day of  
6                   public service announcements between the  
7                   hours of 6 a.m. and 11:35 p.m., at variable  
8                   time slots throughout the week, with at  
9                   least half aired between the hours of 5  
10                  p.m. and 11:35 p.m.; and

11                  “(ii) any multichannel video program  
12                  distributor shall include a notice in or with  
13                  each periodic bill.

14           “(B) CONTENT OF ANNOUNCEMENTS AND  
15           NOTICES.—The announcements and notices re-  
16           quired by this paragraph shall educate con-  
17           sumers about the deadline for termination of  
18           analog television broadcasting and the equip-  
19           ment options consumers have after such termi-  
20           nation. Announcements aired and notices dis-  
21           tributed after January 1, 2009, shall also edu-  
22           cate consumers about the need for and avail-  
23           ability of the converter box voucher program  
24           and the steps to redeem the voucher.”.

1 **SEC. 3. DIGITAL TELEVISION CONSUMER EDUCATION**  
2 **GRANT PROGRAM.**

3 Part C of the National Telecommunications and In-  
4 formation Administration Organization Act is amended by  
5 inserting after section 158 (47 U.S.C. 942) the following  
6 new section:

7 **“SEC. 159. DIGITAL TELEVISION CONSUMER EDUCATION**  
8 **GRANT PROGRAM.**

9 “(a) PROGRAM AUTHORIZED.—The Assistant Sec-  
10 retary of Commerce for Communications and Information  
11 is authorized to establish a temporary grant program for  
12 the purpose of coordinating and leading a nationwide con-  
13 sumer education and outreach campaign regarding Amer-  
14 ica’s conversion to digital television.

15 “(b) SINGLE GRANT.—No later than January 31,  
16 2009, and ending no earlier than March 31, 2009, the  
17 Assistant Secretary shall award a single grant from the  
18 program authorized by this section to one qualified entity.

19 “(c) QUALIFIED ENTITY.—For purposes of this sec-  
20 tion, the term ‘qualified entity’ shall be a corporation, or-  
21 ganized under section 501(c)(3) of the Internal Revenue  
22 Code of 1986, that represents the interests of local non-  
23 commercial television stations at the national level, and  
24 consults with commercial broadcasters, consumer equip-  
25 ment manufacturers, electronics retailers, cable and sat-  
26 ellite operators, consumer groups, older Americans, His-

1 panic Americans, Americans whose primary language is  
 2 not English, Americans with disabilities, and Americans  
 3 living in rural communities.

4 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
 5 are authorized to be appropriated to carry out this section  
 6 \$20,000,000 for fiscal year 2009. Such sums are author-  
 7 ized to remain available subject to subsection (e).

8 “(e) TERMINATION.—Expenditures for the grant pro-  
 9 gram under this section shall terminate on April 30,  
 10 2009.”.

11 **SEC. 4. ADDITIONAL FUNDS FOR THE CONVERTER BOX**  
 12 **COUPON PROGRAM.**

13 (a) AMENDMENT.—Section 3005 of the Digital Tele-  
 14 vision Transition and Public Safety Act of 2005 (Public  
 15 Law 109–171; 120 Stat. 23) is amended—

16 (1) in subsection (b), by striking  
 17 “\$1,500,000,000” and inserting “\$1,700,000,000”;  
 18 and

19 (2) in subsection (c)(3), by striking “by sub-  
 20 stituting ‘\$1,500,000,000’ ” each place it appears in  
 21 subparagraphs (A)(ii) and (B) and inserting “by  
 22 substituting ‘\$1,700,000,000’ ”.

23 (b) CONFORMING AMENDMENT.—Section  
 24 309(j)(8)(E)(iii) of the Communications Act of 1934 (47



- 1 U.S.C. 309(j)(8)(E)(iii) is amended by striking
- 2 “\$7,363,000,000” and inserting “\$7,163,000,000”.

